

AUCTION DIGEST

Newsletter of the Virginia Auctioneers Board

Department of Professional & Occupational Regulation

Volume 4 - Fall 2006

BOARD INFORMATION

Board Members:

J. Hartwell Perkinson, Chair Mark T. Motley, Vice-Chair G. Thomas "Tommy" Garten Amy Pence * E. Joanne Wang * * Public Members

Board Staff:

Mark N. Courtney— Executive Director

Marian H. Brooks— Board Administrator

Michelle Gowen— Administrative Assistant

David Dehetre— Office Manager

Licensing Specialists Lakesha Hobson Joan B. Leonard Toni H. Spencer

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Fall 2006 AUCTION DIGEST

We are pleased to bring you the fourth issue of AUCTION DIGEST! This issue of AUCTION DIGEST includes information about the upcoming fee decrease, real estate auctions and much more. ❖

Please visit our website at www.dpor.virginia.gov for important information on the sale of real property.

Log on to find valuable information on the following topics:

- Residential Property Disclosure Statement
- Residential Property Disclaimer Statement
 - Septic Waver Disclosure Form
- Military Air Installation Disclosure Form
 - Lead-Safe Virginia Program
- Community Association Disclosure Packet Notice



Auction digest

Auctioneers Board Decreases Fees

A tits July 6, 2006, meeting, the Auctioneers Board unanimously voted to decrease the Board's fees. Information regarding the final changes may be found at the Regulatory Town Hall website at http://www.townhall.virginia.gov.

If you do not have access to the Internet, please contact our office for a copy of the related documentation: Marian H. Brooks, Board Administrator, Department of Professional & Occupational Regulation, 3600 West Broad St., Richmond, VA 23230-4917, (804) 367-8514. The effective date of these changes is November 1, 2006.



New Director and Chief Deputy at DPOR



his spring, the Board staff welcomed a new Director and Chief Deputy to the Department. Governor Tim Kaine appointed Jay W. DeBoer and David Ashe to serve as Director and Chief Deputy, respectively, of the Department.

Mr. DeBoer brings a wealth of experience in state government to his position. Prior to joining DPOR, Mr. DeBoer served as Commissioner of the Virginia Department for the Aging from 2002-2006. A native of Dinwiddie County, Mr. DeBoer was the first National Merit Scholarship finalist in the County's history. He received his Bachelor of Arts degree in Government from the College of William and Mary in Virginia in 1975, and his Doctor of Jurisprudence from the Marshall-Wythe School of Law, College of William and Mary, in 1979. Mr. DeBoer was elected to the Virginia House of Delegates in 1982, and from 1983 until 2002, represented the 63rd House District in the General Assembly. He served as Co-Chair of the Health, Welfare and Institutions Committee, and was a member of the Finance, General Laws, Claims, Interstate Cooperation, Science and Technology, and Agriculture Committees. Mr. DeBoer was

also a member and past Chair of the Joint Commission on Health Care, member and past Chair of the Virginia Code Commission, and member of the Joint Legislative Audit and Review Commission (JLARC). Known for what newspapers called "his keen intellect and quick wit," Mr. DeBoer was JEOPARDY! champion in appearances on that television program in 1986.

Mr. Ashe, a lawyer by profession, is a former policy analyst with the U.S. Chamber of Commerce and most recently worked as counsel to a financial services firm in the Tidewater area. After completing U.S. Marine Corps Officer Candidate School and passing the Virginia Bar exam, he provided general legal services to Marines, soldiers, sailors and their families and tried courts-martial.

Mr. Ashe served in Kuwait in Operation Enduring Freedom in 2002 and was deployed to I raq in 2003. After serving his country for seven years, he left active duty. He continues as a Marine Corps reservist, serving one weekend per month as an Operational Law instructor with a reserve unit based out of Quantico.

In 2004, Mr. Ashe won 45 percent of the vote in one of the most closely watched Congressional races in the country, Tidewater's 2nd District.▲



REMINDER

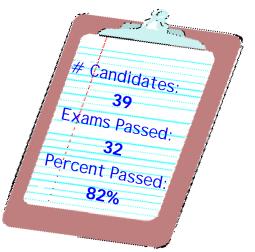
hen renewal time approaches, be sure not to rely solely on your bonding company to send your bond information. If the company fails to sent the needed information in time, you will be responsible for the penalty fee if your license isn't renewed before its expiration date.





Examination Statistics

The following statistics are a compilation of the Virginia candidates who sat for the Auctioneers examination between January 1, 2006, and July 31, 2006.



Update on Continuing Education Bill for Auctioneers

s you know, House Bill 1022 was passed in the 2004 session of the General Assembly and subsequently signed into law by the Governor. This bill amends the Code of Virginia by adding § 54.1-603.1, which requires the Auctioneers Board to establish continuing education requirements for licensed auctioneers. Under this bill, the Board shall require at least 6 hours of Board-approved continuing education courses for the renewal or reinstatement of a license. The bill also provides that any continuing education courses completed by an auctioneer pursuant to a requirement of the Certified Auctioneer's Institute or by participation in educational programs sponsored by the National Auctioneer's Association or Virginia Auctioneer's Association shall satisfy the continuing education requirement.

Currently the proposed regulations are subject to a public comment period September 4, 2006, through November 3, 2006. After the public comment period, the Board will consider any comments made during the public comment period and adopt final regulations.

The Virginia Regulatory
OWN Hall

complete accuracy.

Disciplinary Actions

The following is a summary of actions taken against regulants by the Virginia Auctioneers Board. Although every effort is made to ensure the information is correct, before making any specific decision based upon this information, you should check with the Board office to ensure

FILE NUMBER 2005-01445, Kendall J. Bennett

VIOLATION—In June of 2004, Ms. Bennett conducted an auction without having the proper documentations filled out or the proper contracts signed.

BOARD ACTION—Consent Order wherein Bennett agreed to a \$100.00 fine as well as \$150.00 in Board costs.

REGULATION VIOLATED—(2002) 18 VAC 25-21-110.1.a EFFECTIVE DATE—January 19, 2006

FILE NUMBER 2006-00595, Calvin S. Jones

VIOLATION— In August of 2003, Mr. Jones failed to finalize a sale of items prior to moving on to the auction of other items, failing to demonstrate the proper application of knowledge and ability in the performance of his duty. BOARD ACTION—Consent Order imposing \$50.00 fine as well as \$150.00 in Board costs. REGULATION VIOLATED—(2002) 18 VAC 25-21-180.4 EFFECTIVE DATE—January 19, 2006

FILE NUMBER 2005-03882, Walker Commercial Services, Inc.

VIOLATION—Walker Commercial Services, Inc., advertised an auction as "absolute" when all lots being auctioned did not meet the criteria to be considered "absolute." BOARD ACTION—Consent Order imposing \$1,000.00 fine as well as \$500.00 in Board costs. REGULATION VIOLATED— §54.1-607(B) of the Code of Virginia EFFECTIVE DATE—January 19, 2006

FILE NUMBER 2006-01109, Lynn Howell Sheckler

VIOLATION—Ms. Sheckler entered into an agreement to auction items from an estate no later than September 13, 2004. As of August 2, 2005, Ms. Sheckler's client received no written account or payment for unaccounted items to be auctioned. BOARD ACTION—Consent Order imposing revocation of Ms. Sheckler's license (number 2907-002538) and payment of Board costs in the amount of \$500.00. REGULATIONS VIOLATED—(2002) 18 VAC 25-21-140; 18 VAC 25-21-150.E (2 Counts); 18 VAC 25-21-160; and 18 VAC 25-21-180 EFFECTIVE DATE—July 6, 2006.❖



Important Information for Licensees

fter your license has been expired for two years or more, you must submit a new application and meet current entry requirements that are in effect as of the date the application is received by the Board office. You will also be required to submit the examination fee and sit for and pass the Virginia Auctioneer's License Examination or apply through reciprocity. Any auctioneering activity conducted between the time the previous license expired and the effective date of the new license shall be considered unlicensed activity.

This information is meant to provide a summary of the renewal and reinstatement requirements found in Part III of the Board's regulations; however, it should not be relied on exclusively. Please refer to the Board's regulations for more information. •

CALENDAR OF EVENTS								
January 18, 2007	Auctior	neers Board Meeting	July 12, 2007	Auctione	Auctioneers Board Meeting			
April 12, 2007	Auctior	neers Board Meeting	October 18, 200	7 Auctione	Auctioneers Board Meeting			
Please note that meetings usually begin at 10:00 a.m. at the Department offices located at 3600 West Broad Street, Richmond, Virginia.								
AUCTIONEERS BOARD MEMBERS								
<u>Licensed Members</u>			<u>Public Members</u>					
*J. Hartwell Perkinson			Amy R. Pence					
**Mark T. Motley			E. Joanne Wang					
G. Thomas "Tommy" Garten								
* Chair ** Vice-Chair								
IMPORTANT TELEPHONE NUMBERS								
Licensing or Applications		(804) 367-8512 or -8506	Examination Ve	endor (PSI)	(800) 733-9267			
Board Administration	on	(804) 367-8514	Complaints		(804) 367-8504			
IMPORTANT WEB SITE AND E-MAIL ADDRESSES								
Dept. Web Site	http:/	//www.dpor.virginia.gov	Board E-mail auctioneers@dpor.virginia.gov		Board E-mail auctioneer		eers@dpor.virginia.gov	
PSI	vww.psiexams.com		Town Hall	www.townha	www.townhall.virginia.gov			
MOVING?	······	ASE NOTIFY THE BOA	RD OFFICE (OF YOUR	NEW ADDRESS.			
: Name:								
License Number:								
Old Address:								
New Address: (P.O. Box must be accompanied by your physical address)								
: Signature:								
Date:								
Mail to:								

Auctioneers Board, Department of Professional & Occupational Regulation 3600 West Broad St.

Richmond, VA 23230-4917